



Town of Moultonborough Planning Board

Notice of Decision

Site Plan Review Permit

Stephen P. Tocco/Tax Map 169, Lot 44-001

December 21, 2009

**Applicant: Stephen P. Tocco
11 Gregory Lane
Reading, MA 01867**

Location: 18 Alpine Park Road (Tax Map 169, Lot 44-001)

On December 21, 2009 the Planning Board of the Town of Moultonborough opened a Public Hearing on the application of Stephen P. Tocco, 11 Gregory Lane, reading, MA 01867 (hereinafter referred to as the “Applicant” and/or “Owner”) to allow for two (2) additions to one of the existing condo units and two (2) storage sheds, on the existing three (3) building, six (6) unit multi-family condo site.

The Public Hearing was closed on December 21, 2009. At the regularly scheduled Planning Board meeting on December 21, 2009, the Board voted by a vote of five (5) in favor (Ryerson, King, Coppinger, Fairchild, Taussig), none (0) opposed, to **GRANT** the applicant’s request for Site Plan approval, subject to the following conditions:

1. Conformance with Plan

Work shall conform with the plans entitled, “Site Plan, The Family Trust, Tax Map 169, Lot 43, Moultonborough, Carroll Co., NH” prepared by Associated Surveyors, 121 NH Route 25 Unit #2, Meredith, NH 03253, dated November 19, 2009.

2. Amendments

Any modification to the approved plan prepared by Associated Surveyors and titled, “Site Plan, The Family Trust, Tax Map 169, Lot 43, Moultonborough, Carroll Co., NH”, dated November 19, 2009 and any modification of any condition of this approval, together with previous approvals unless otherwise specified in this decision, must receive the prior approval of the Planning Board, unless deemed insignificant by the Town Planner. In such case the applicant shall submit to the Planner the requested changes who shall seek Board approval of the changes. The applicant will not proceed unless the Planner first provides written approval of the requested insignificant changes.

3. Endorsement of Plan

Following the vote of approval by the Planning Board, and the statutory thirty (30) day appeal period in accordance with RSA 677:15, the Planning Board Chairman shall sign the approved site plan, subject to conditions of this approval, which shall be recorded at the Carroll County Registry of Deeds. The conditions of approval of this site plan review shall be placed on the final plans, or this decision shall be recorded with said plans, at the Carroll County Registry of Deeds, in accordance with RSA 676:3 (I),

within ninety (90) days of signing of the plans by the Planning Board Chair and prior to any construction commencing.

4. Site Plan Regulations

The Site shall be constructed in accordance with the requirements of the Site Plan Regulations and any other applicable rules and regulations as affected by this decision.

5. Transfer of Ownership

Within five (5) days of transfer of ownership of the site, the Applicant, their successors or assigns, shall notify the Board in writing of the new owner's name and address. The terms, conditions, restrictions and/or requirements of this decision shall be binding on the new owner and its successors and/or assigns.

6. Progress Reports

Upon the request of the Planning Board, the owner shall submit reports of the progress of the site's completion within five (5) business days.

7. Construction Practices

All construction shall be carried out in accordance with Town of Moultonborough ordinances and the Site Plan Regulations, as well as all other pertinent rules and regulations. Additionally, all staging of materials and equipment shall be on-site, and no equipment or materials not directly used in the construction of the site shall be located on site.

8. Construction Requirements

- a. All construction will occur on site; no construction will occur or be staged within Town rights of way.
- b. Any roadways, driveways, or sidewalks damaged during construction shall be restored to their original condition by the Owner prior to the issuance of a Certificate of Occupancy for the site.
- c. All construction shall occur between the hours of 6:00 am and 9:00 pm as required by the Town of Moultonborough Unnecessary Noise Ordinance (Section 10.2(6)).
- d. The applicant shall clean construction vehicles before they exit the construction site, and clean and sweep all streets affected by their construction truck traffic as necessary.

9. Fire Department

All work shall comply with the requirements of the Moultonborough Fire Department as affected by this decision.

10. Office of the Building Inspector

All work shall comply with the requirements of the office of the Moultonborough Building Inspector as affected by this decision.

11. Utilities

Any utility installation shall be reviewed and approved by the Code Enforcement Officer prior to the issuance of a Building Permit.

12. Lighting

All lighting shall be in conformance with the Town of Moultonborough Zoning Ordinance and Site Plan Regulations.

13. E-911 Numbering

The site shall conform with the Town of Moultonborough Building Numbering System Ordinance (Section 20), prior to the issuance of a Certificate of Occupancy for the site.

14. Lot Calculations

The applicant shall submit a revised Site Plan with calculations for the total amount of impervious area on the lot as a figure, and as a percentage of the total lot size, prior to endorsement of the plans.

15. As-built Plans

As-built plans, stamped by a Registered Professional Engineer, shall be submitted to the Land Use Department and the Road Agent prior to the issuance of a Certificate of Occupancy for the site.

16. Testimony and Representation at Public Meetings

All testimony and representations made by the applicant or their representatives during the Public Hearing(s) and Public Meeting(s) shall be incorporated into this approval and part of this Notice of Decision.

17. Right to Amend Decision

The Planning Board reserves the right to modify or amend this approval on application of the owner, lessee, or mortgagee of the premises, or upon its own motion, as permitted by the Town of Moultonborough Site Plan Regulations, Section 6, and RSA 676:4.

18. Violations

Violations of any condition of this decision shall result in placement of a Stop-Work Order or a Cease and Desist Order, as appropriate, on the property by the Building Inspector and/or the Planning Board, unless the violation of such condition is cured within fourteen (14) days, or waived by a majority vote of the Planning Board. Outstanding violations of the approved plans or conditions of approval may result in the revocation of this approval by the Planning Board.

This decision shall not take effect until thirty (30) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, it is recorded in the Carroll County Registry of Deeds, in accordance with RSA 677:15.

R. Natt King
Vice-Chairman, Planning Board

Date _____